



U.S. Department of Justice
Office of Information Policy
Suite 11050
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Washington, DC 20530-0001

Telephone: (202) 514-3642

Donald Stone
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Somerville, MA 02144-2516
50434-60641844@requests.muckrock.com

Re: Appeal No. DOJ-AP-2019-002348
Request No. 1401888-000
SRO:PJA

VIA: Email

Dear Donald Stone:

You appealed from the action of the Federal Bureau of Investigation on your Freedom of Information Act request for access to records concerning the term "Red Wallet." I note that your appeal concerns the adequacy of the FBI's search for records responsive to your FOIA request. Please note that this Office was closed due to a lapse in funding appropriations between December 22, 2018 and January 25, 2019, which resulted in a delay in responding to your appeal.

After carefully considering your appeal, I am affirming the FBI's action on your request. By letter dated September 28, 2018, the FBI released to you four pages of responsive records in full. I have determined that the FBI's response was correct and that it conducted an adequate, reasonable search for responsive records subject to the FOIA. The FBI searched multiple databases and file systems using the term "Red Wallet."

With regard to your allegation that the FBI may have improperly invoked a FOIA exclusion to withhold records from you, although the Department of Justice can neither confirm nor deny that an exclusion was employed in any particular case, see Attorney General's Memorandum on the 1986 Amendments to the Freedom of Information Act 27 (Dec. 1987), I have carefully considered your allegation and have found this claim to be without merit. Please be advised that this response should not be taken as an indication that an exclusion was or was not used in response to your request.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the actions of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

5/29/2019

X 

Sean R. O'Neill
Chief, Administrative Appeals Staff
Signed by: SEAN O'NEILL